

Date: 6/8/06

To: U.S. District Court  
Room 4209- Office of Clerk of the Court

Reference: Civil Action No.: 05-452-JJF (Age/Disability Claim), Hill v. Superfresh

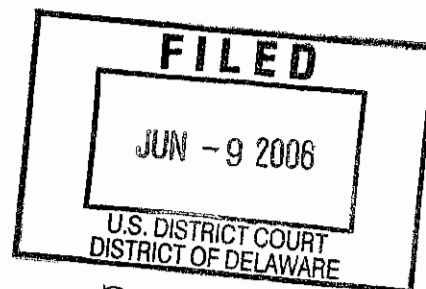
Subject: Request for Court Mandated Scheduling Order (Rule 16)

As a supplement to the previous correspondence dated 6/1/06, request that the Court mandate a scheduling order for the above referenced age/disability claim. In order to meet the required Court deadline of 6/5/06, the undersigned proposed a scheduling order recommendation which was not negotiated with the defending parties. This proposal was made due to the fact that the plaintiff made several calls to the law office of John Barry (phone 212- 351-4500) which was not returned. Finally, on 6/2/06, John Barry (defendant lawyer) left me a message on my cell phone stating that he changed law firm's and his new phone number is (973) 274-6081. On 6/3/06, the plaintiff called John Barry and instructed him to call me at work on 6/05/06. He did call on 6/5/06 but at 3:40PM, 40 minutes after the end of my work schedule. The plaintiff called him back at 6:30AM on 6/6/06 and left a message to have him call me at home at 4PM on 6/6/06. To date, there has been no response from the defendant's lawyer either in writing or orally. How can we ever achieve a scheduling order if the opposing party does not even want to talk to me?

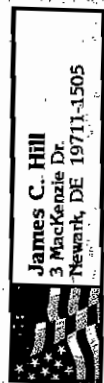
Therefore, the Court is requested to mandate a scheduling order in accordance with the Court's wishes and rescind my proposed scheduling order which was simply to expedite matters and use that as a talking point.

Sincerely,

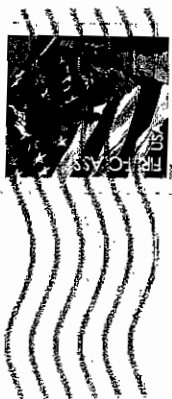
*James Hill*  
James Hill



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